

MARYLAND'S CHESAPEAKE BAY TRIBUTARY STRATEGY IMPLEMENTATION PLAN

EXECUTIVE SUMMARY

In April, 2004 Maryland released its Tributary Strategy plan to restore water quality in the Chesapeake Bay. The Strategy details specific best management practices needed to reduce the flow of excess nutrients and sediments from all sources in order to achieve water quality standards in the Bay and its tributaries. The Strategy includes ambitious implementation goals for all practices requiring significant increases in funding and assistance at the federal, state and local levels.

After a thorough analysis, the Ehrlich Administration responded to the challenges presented within the Strategy by implementing restoration activities that had the potential for the greatest impact to improving the water quality based on the investment. Specifically, Maryland:

- Created the Chesapeake Bay Restoration Fund – to upgrade the 66 worst polluting waste water treatment plants (WWTP). To date Maryland has collected \$38.5 million for wastewater treatment facility upgrades, and \$2.5 million for septic upgrades and cover crops. One WWTP has been fully upgraded to ENR operation, seven are under construction, 12 are under design and the remaining facilities are in the planning or pre-planning stage. 53 total plants will be upgraded under this Implementation Plan.
- Initiated the Corsica River restoration project – the region's first targeted comprehensive implementation plan to remove a river from the EPA's list of impaired waterways. This restoration model will be expanded to additional tributaries in the Chesapeake Bay watershed.
- Created the Chesapeake Bay Recovery partnership to raise public and private funding for large-scale Bay restoration projects, and introduced the sale of Maryland natural spring water to help fund this effort.
- Introduced the Clean Power Rule, which will make Maryland a cleaner and safer place to live. It will cut air pollution by record amounts, protect Maryland's power supplies, and keep the consumer's energy costs low.
- Achieved the State's goal of preserving 20% of Maryland's landscape from development, with well over 1.2 million acres now protected. This includes reaching 250,000 acres of agriculture lands preserved through the Maryland Agricultural Land Preservation Foundation (MALPF), the nation's first and most successful farmland preservation program.
- Proposed an initiative to support the use of clean, renewable energy and energy efficiency including a commitment to purchase 10% of the State's energy from Tier 1 renewable sources – an unprecedented commitment for the State, which ranks Maryland as a leading state user of alternative energy; \$2.5 million for the solar grant program to encourage home solar use, and; \$5 million in tax credits for installation of energy efficient heating equipment.

Despite these historic actions, the Ehrlich Administration acknowledges that we all must do more – to restore the Bay, to protect our open space, fields, forests and farmland, and reduce our energy consumption. With continued input from stakeholders, such as the Tributary Teams, the Administration will continue to evaluate



the benefits of existing programs and investments, and decide on an annual basis the best options for meeting our goals. As part of his continuing commitment to accelerate restoration of the Chesapeake Bay and its tributaries Governor Ehrlich announced as part of his 2007 budget **more than \$442 million** in Chesapeake Bay, Land Preservation, Agricultural and Energy Programs that will preserve and restore our resources, enhance our quality of life, and support Maryland's booming economy.

Maryland's Tributary Strategy Statewide Implementation Plan moves the Chesapeake Bay restoration effort forward by providing information on current programs and policies already implementing the strategy, as well as detailing next steps to increase installation of a number of best management practices. The plan solidifies Maryland's commitment to align its programs, seek new sources of funds and foster innovative approaches to implement the Tributary Strategy and achieve water quality standards in the Chesapeake Bay. Progress will be evaluated on an annual basis and new programmatic, policy and fiscal measures will be taken on an annual basis to insure that Maryland continues on its steady course towards meeting its goal of restoring the Chesapeake Bay and its tributaries.

The plan consists of two major parts. Part I provides separate implementation strategies for point sources, stormwater, septic systems, growth management, agriculture, and air deposition. Part II contains strategies to achieve, maintain and monitor water quality goals, and includes information on coordination between regulatory and incentive-based programs; cap management strategies; target areas for additional research, demonstrations and outreach; and tracking and monitoring progress.

Specifically, the plan:

- **Provides an Implementation Schedule.** Each schedule reflects a series of actions expected to occur over the next 5 years if no additional resources are committed to those efforts. Estimates of implementation rates are based on existing resources and near-term budget projections. The estimates also include activities resulting from regulation as well as voluntary participation of private landowners. The projections do not include anticipated increases in implementation funds generated in the private sector or state, local and federal governments. As these activities are identified they will be added to our Implementation Plan, increasing implementation rates statewide. In particular, local government activities will be the cornerstone of the 10 basin level implementation plans that will be developed over the next year in cooperation with the Tributary Teams and local governments. The schedules also reflect a consistent emphasis on the most cost effective best management practices in the Strategy. In addition, Governor Ehrlich will continue to pursue additional funding at the federal level to enhance and accelerate the implementation of the Tributary Strategy. Recent success in having President Bush earmark \$6 million in his 2006 budget for the Targeted Watershed Project demonstrates that we can be successful in expanding these critical partnerships.

From 1995 through 2004 Maryland allocated approximately \$1.9 billion for Bay restoration, more than any other Bay state according to the federal Government Accounting Office. Financing the restoration activities will require the support of the public and renewed investment on the part of local and federal partners, our watershed states and the private sector. This requires not only the support of all levels of government but all branches of government. Legislative support is and will be essential to insure that critical budget proposal are preserved. If current recommendations by the legislature's budget office to cut the Governor's environmental initiatives are adopted, this strategy will suffer a major setback.

Maryland is committed to work cooperatively with all stakeholders to develop the programs, establish the policies and educate citizens in order to fully implement the Strategy and restore water quality in the Bay. The Implementation Schedules are summarized in the chart found at the end of this Executive Summary.

- **Defines Program Coordination.** This section defines the existing State programs working to implement the Tributary Strategy commitments, and highlights future initiatives to improve coordination between Total Maximum Daily Load (TMDL) requirements, National Pollutant Discharge Elimination System (NPDES) permits, growth management, local planning processes, and the many incentive-based cost-share programs. State programs are both regulatory and incentive-based and often rely heavily on the

work of local governments, Soil Conservation Districts, private landowners, and others to ensure policies and programs result in action.

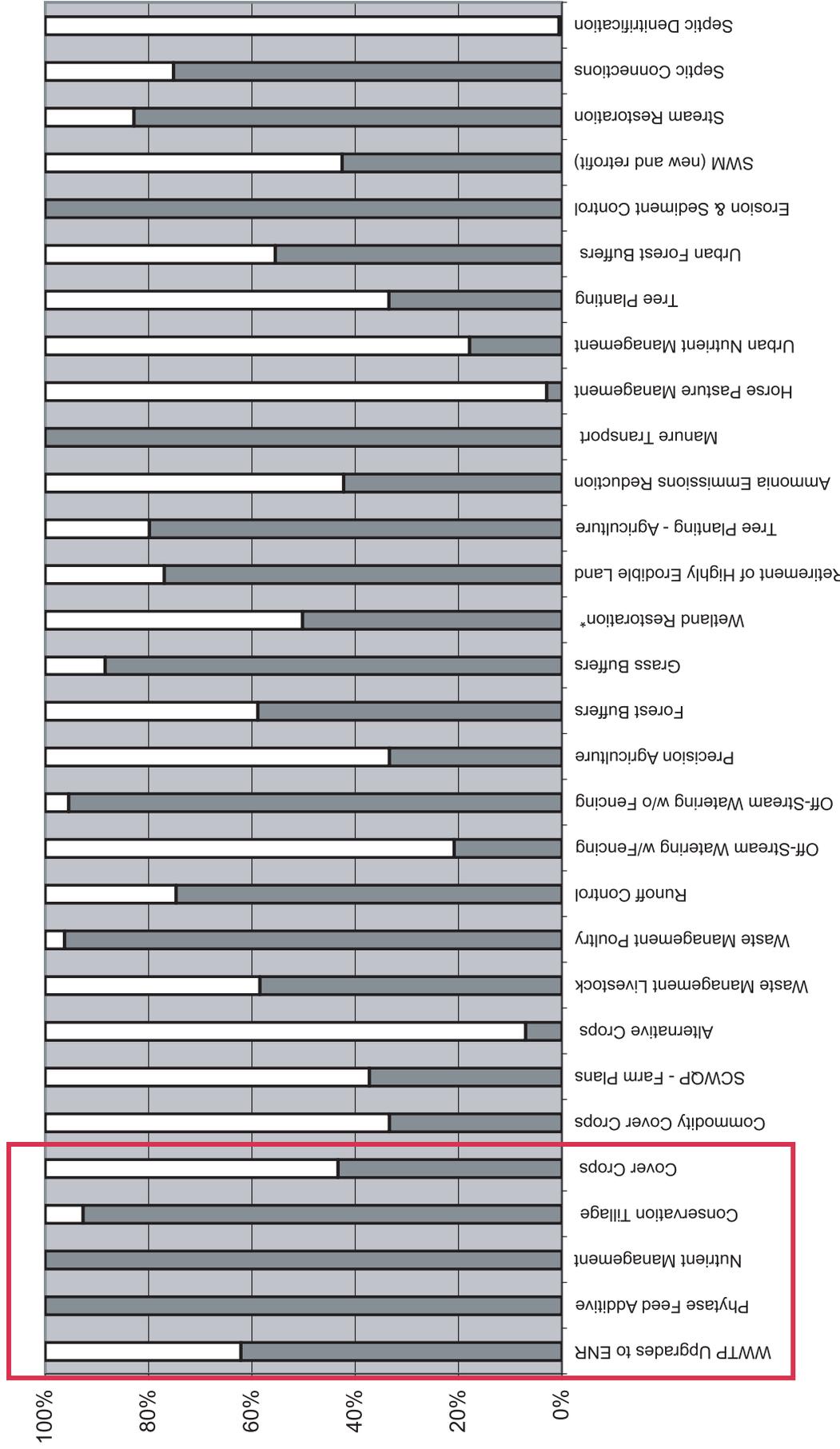
- **Addresses Implementation Barriers.** To increase awareness and understanding of *Maryland's Tributary Strategy*, statewide meetings were held with specific stakeholder groups during 2004. In addition to reviewing the strategy and identifying real or perceived barriers to full implementation, meeting participants generated a number of potential solutions to overcome those barriers. A summary of these meetings in each section allows for stakeholder groups and organizations to develop priorities for policy, program, and regulatory changes for local activities that contribute to meeting local water quality standards and Chesapeake Bay restoration goals. In many cases, the need for more funding is the primary barrier to implementation. However, increased funding alone will not achieve all of the tributary strategy goals. Cooperation from local governments and voluntary actions resulting in widespread behavior change of individuals living throughout the watershed will also be critical to the success of the Bay restoration effort. Examples of this include, but are not limited to, local land use policy changes, and installation of wetlands and forested buffers.
- **Identifies State Initiatives to Accelerate Implementation.** Maryland has allocated over \$1.9 billion for Bay restoration since 1995. Governor Ehrlich has assured the State's continued leadership and built on that financial commitment through the creation of Bay Restoration Fund and other initiatives. However Maryland alone cannot fully restore the Chesapeake Bay's water quality. Governor Ehrlich, as chair of the Chesapeake Bay Program Executive Committee, will be encouraging all Chesapeake Bay watershed jurisdictions to step forward and take similar ambitious actions to restore and protect the Chesapeake Bay watershed. A summary of initiatives demonstrating Maryland's commitment to remain a Bay restoration leader is provided, along with a list of future actions needed to boost implementation of practices that reduce the flow of nutrients and sediments to the Chesapeake Bay. The initiatives are broken out into 2-year, 5-year, and long-term increments to set realistic goals in attainable timeframes. Examples of new initiatives include: the targeted watershed program through which the Corsica watershed will be first to receive concentrated implementation efforts; additional funding for the cover crop program; development of a commodity cover crop program; an urban tree canopy initiative; accelerated wetland restoration; and stormwater management improvements on State-owned properties.

Maryland recognizes that leadership must be complemented with the continued engagement of the public and critical watershed stakeholders. The Tributary Teams, celebrating their 10- year anniversary this year, demonstrate Maryland's long term dedication to public involvement. The release of the Implementation Plan will nourish and focus the public dialogue on the development of policy solutions that will eventually overcome challenging implementation barriers.

- **Identifies Stakeholder Implementation Roles.** To some extent, everyone who lives in the Chesapeake Bay watershed is responsible for taking the actions necessary to restore its water quality and living resources. The Plan briefly defines the specific roles or responsibilities of the groups whose policies and decisions will have the most impact on implementation.
- **Addresses Cap Management.** Achieving the nutrient and sediment loading caps will be an unprecedented challenge that will require the efforts of all the people living in the Chesapeake Bay watershed. The plan outlines some of those challenges and provides information on the tools, programs and collaboration, both existing and needed, to effectively manage the cap and maintain the Chesapeake Bay's water quality standards.
- **Reports Implementation Progress.** While the plan does not provide a comprehensive report on Bay restoration progress to date, it outlines a process for reporting progress in the future. In cooperation with the EPA and the Chesapeake Bay Program, Maryland will provide annual updates on the real progress in meeting the Tributary Strategy goals, including, but not limited to, tracked implementation of best management practices (BMPs), and water quality and living resource responses.

5 Year Projected Tributary Strategy Implementation based on current and projected funding levels

□ Implementation Goal
■ 5-Year Projection



Note: The projected implementation schedules (5 year projections) were developed using current and projected budget allocations and were based on current state regulations and voluntary participation. While the plan focuses on the implementation of cost effective practices, Maryland will continue to pursue the additional federal, state, local and private funding necessary to accelerate implementation rates. The boxed area includes the recommended practices in the Chesapeake Bay Commission's Cost Effective Strategies for a Clean Bay.



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